REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated August 23, 2006.

Preliminarily, the applicant notes the rejection of claims 1-36 under the second paragraph of 35 U.S.C. § 112 and has responded thereto in an manner which should cause the withdrawal thereof.

More specifically, responsive to the rejection under 35 U.S.C. § 112, second paragraph, independent claims 1, 10, 19 and 28 have been amended to more clearly define the shape of the plurality of guide parts and plurality of processing liquid passages. Claims 3, 12, 21 and 30 have been amended to delete the term "internal space" and more clearly define the shape of the mentioned tanks. Claims 6, 8, 15, 17, 24, 26, 33 and 35 have been amended to change "discharge part" to --discharge nozzle-- so that the term is defined clearly.

Accordingly, it is submitted that the claim objections under 35 U.S.C. § 112 have been overcome by these amendments and withdrawal of these rejections is respectfully requested.

Substantively, claims 1-4 are rejected on grounds of anticipation by Sumnitsch (4,903,717). Claims 19-20 are rejected as being anticipated by Ono, et. al. (6,807,974). Claims 5-7 are rejected as being obvious over Sumnitsch. Further, Claim 10 is rejected as being obvious over Sumnitsch, in view of Matsuyama (6,332,723). Claims 11-16 are rejected on grounds of obviousness over Sumnitsch, in view of Matsuyama, as applied to claim 10 above. Still further, claims 21-25 are rejected as being obvious over Ono, in view of Sumnitsch. Claims 28-29 are rejected as being obvious over Ono, in view of Matsuyama. Lastly, claims 30-34 are rejected as being obvious over Ono, in view of Matsuyama, in further view of Sumnitsch. Reconsideration is requested in view of the amendments to the claims herein and the following remarks.

Preliminarily, the applicant notes that no prior art rejection has been applied to claims 8-9 and 17-20. Therefore, an indication of allowability should be mentioned with respect to these claims, although the applicant will argue that these claims are allowable by virtue of the following remarks as well.

The apparatus recited in independent claims 1, 10, 19 and 28 as amended, recites a plurality of guide parts and a plurality of processing liquid passages formed by guards. The chemical structure ensures that a space is provided between one of the guide parts disposed

closest to the substrate holding part, and the substrate holding part similarly to the space between the remaining guide parts.

Accordingly, the claimed apparatus produces the advantageous effect that the guide part disposed closest to the substrate holding part suppresses the bounce of second processing liquid (or chemical solution) flying or spattering from a substrate, so that bounced droplets are prevented from attaching to the substrate as pollutant particles.

To achieve this feature, the apparatuses recited in claims 1, 10, 19 and 28 employ the following configurations.

Claim 1 recites that "an internal diameter of the first cylindrical part forming the lowermost second processing liquid guide part in the plurality of second processing liquid guide parts is greater than an internal diameter of the second cylindrical part forming a processing liquid passage corresponding to the lowermost second processing liquid guide part".

Claim 10 recites that "the inclined part forming the lowermost chemical solution guide part is positioned above an outer cylindrical part forming a processing liquid passage that corresponds to the chemical solution guide part immediately overlying the lowermost chemical solution guide part".

Claim 19 recites that "the second guard is curved such that the internal diameter of the first cylindrical part forming the second guide part is greater than the internal diameter of the second cylindrical part forming the second processing liquid passage".

Claim 28 recites that "the second guard is curved such that the inclined part forming the second guide part is positioned above the fourth cylindrical part forming the third processing liquid passage".

In contrast, none of the cited references discloses or suggests the structures or features of the claims as described above.

For instance, Sumnitsch merely discloses a stack of chemical solution guide parts having substantially annulus ring shapes similar to the present application, but fails to disclose or suggest a plurality of guide parts and a plurality of processing liquid passages formed by guards.

Further, Ono et al. and Matsuyama et al. merely disclose a plurality of guide parts and a plurality of processing liquid passages formed by guards, but fail to disclose or suggest a

configuration that ensures that a space is provided between one of guide parts disposed closest to a substrate holding part and the substrate holding part.

That is, the space between the respective guide parts and substrate holding part gets smaller with approach towards the substrate holding part. As a result, this causes the aforementioned problem of polluting particles, caused by the bounce of second processing liquid (or chemical solution) in the guide part closest to the substrate holding part.

Therefore, a person of ordinary skill in the art would not be able to derive the invention recited in independent claims 1, 10, 19 and 28 and dependent claims 2-9, 12-18 and 29-36 which add limitations to these independent claims, from the cited references, taken either singly or in combination.

Accordingly, none of claims 1-36 of the present application are anticipated or rendered obvious by the cited references.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY THROUGH THE UNITED STATES PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON NOVEMBER 24, 2006

MAX MOSKOWITZ
Registration No.: 30,576
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700